

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**PRECISION CPAP, INC.; MEDICAL
PLACE, INC.; PHASE III VANS, INC.,
d/b/a EAST MEDICAL EQUIPMENT
AND SUPPLY; and MED-EX,**

Plaintiffs,

v.

**JACKSON HOSPITAL; MED-SOUTH,
INC.; JMS HEALTH SERVICES, L.L.C.,
d/b/a JACKSON MED-SOUTH HOME
HEALTH, L.L.C.; BAPTIST HEALTH,
INC.; AMERICAN HOME PATIENT,
INC.; BAPTIST VENTURES -
AMERICAN HOME PATIENT,**

Defendants.

Case No. 2:05-cv-1096-C

MOTION FOR ADMISSION PRO HAC VICE

COME NOW Defendants American Home Patient, Inc., and Baptist Ventures-American Home Patient, pursuant to Local Rule 83.1, Middle District of Alabama, move for entry of an Order permitting Glenn B. Rose, Esq., to appear on behalf of these Defendants as co-counsel *pro hac vice* and as grounds state as follows:

1. Glenn B. Rose, Esq., is a partner in the Nashville, Tennessee, office of the law firm of Harwell, Howard, Hyne, Gabbert & Manner, P.C., 315 Deaderick Street, Suite 1800, Nashville, Tennessee 37238, (615) 256-0500. He is an active member in good standing of the State Bar of Tennessee, Tennessee Bar No. 010598. A Certificate of Good Standing is attached hereto as Exhibit A.

2. Glenn B. Rose has not been disciplined in any manner in any jurisdiction in the preceding five years. In addition, Glenn B. Rose has no disciplinary proceedings pending in any jurisdiction.

3. James E. Williams of the Montgomery, Alabama office of Melton, Espy & Williams, P.C., located at 301 Adams Avenue, Montgomery, Alabama, 36104, is a member in good standing of the Alabama Bar and is local counsel for Defendants American Home Patient, Inc., and Baptist Ventures-American Home Patient in this action.

WHEREFORE, the premises considered, Defendants American Home Patient, Inc., and Baptist Ventures-American Home Patient respectfully request that Glenn B. Rose be permitted to appear *pro hac vice* on their behalf in this action and that an Order be entered to that effect.

Respectfully submitted this the 15th day of December, 2005.

s/ James E. Williams
James E. Williams / ASB-9283-W84J
One of the Attorneys for Defendants **Baptist Health,
American Home Patient, Inc. and Baptist Ventures-
American Home Patient**
Melton, Espy & Williams, PC
301 Adams Avenue
Montgomery, AL 36104
Telephone: (334) 263-6621
Facsimile: (334) 269-9515
jwilliams@mewlegal.com

CERTIFICATE OF SERVICE

I hereby certify that on this the 15th day of December, 2005, I filed a hard copy of the foregoing with the Clerk of the Court using the CM/ECF system which will send notice of such filing to the following:

Attorney for Plaintiffs:

Brian M. Clark
Wiggins, Childs, Quinn & Pantazis
The Kress Building
301 19th Street North
Birmingham, AL 35203
bclark@wcqp.com

and

Dwayne M. Brown, Esq.
Post Office Box 230205
Montgomery, AL 36123-0205
dbrown@dbrownatty.com

*Attorney for Defendants JMS Health Services,
L.L.C. dba Jackson Med-South Home Health
L.L.C. and Med-South, Inc.:*

Mike Carlson / ASB-5825-A62W
William Carlson & Associates, P.C.
Post Office Box 660955
Birmingham, AL 35266
Telephone: (205) 823-1842
Fax: (205) 823-8242
wtecpilot@bellsouth.net

Attorney for Defendants Jackson Hospital;

*JMS Health Services, L.L.C. dba
Jackson Med-South Home Health L.L.C.:*
Dennis R. Bailey / ASB-4845-171D
Rushton, Stakely, Johnston & Garrett, P.A.
Post Office Box 270
Montgomery, AL 36101-0270
Telephone: (334) 206-3100
Fax: (334) 262-6277
drb@rsjg.com

s/ James E. Williams

OF COUNSEL

James E. Williams / ASB-9283-W84J

Attorney for Defendants **Baptist Health, American Home
Patient, Inc. and Baptist Ventures-American Home
Patient**

Melton, Espy & Williams, PC
301 Adams Avenue
Montgomery, AL 36104
Telephone: (334) 263-6621
Facsimile: (334) 269-9515
jwilliams@mewlegal.com

CERTIFICATE OF GOOD STANDING

UNITED STATES OF AMERICA

} ss.

MIDDLE DISTRICT OF TENNESSEE

I, **KEITH THROCKMORTON**, Clerk of the United States District Court for the Middle District of Tennessee,

DO HEREBY CERTIFY That **GLENN B. ROSE** was duly admitted to practice in said Court on **December 13, 1983**, and is in good standing as a member of the bar of said Court.

Dated at Nashville, Tennessee on December 1, 2005.



KEITH THROCKMORTON, CLERK

By Angie Brewer
Deputy Clerk

EXHIBIT

A